

No. 02-1530

[UNPUBLISHED]

Submitted: July 3, 2002
Filed: July 10, 2002

Before LOKEN, BEAM, and RILEY, Circuit Judges.

PER CURIAM.

Roy Reha appeals from the district court's¹ order denying his notice of removal and petition for writ of habeas corpus. Reha did not claim his criminal prosecution was racially motivated or that he was a federal officer or agent, see Georgia v. Rachel, 384 U.S. 780, 792, 800 (1966); City of Greenwood v. Peacock, 384 U.S. 808, 824 (1966); and he failed to allege that he exhausted his state remedies, see 28 U.S.C. § 2254(b)(1)(A).

Accordingly, we find that the district court properly remanded Reha's case, see 28 U.S.C. § 1446(c)(4), and we affirm, see 8th Cir. R. 47B. We also deny the pending motion.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Ronald E. Longstaff, Chief Judge, United States District Court for the Southern District of Iowa.